

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W. R. GRACE & CO., et al. <sup>1</sup>	)	Case No. 01-01139 (AMC)
	)	(Jointly Administered)
Reorganized Debtors.	)	
	)	<b>Re: Docket Nos. 33154 and 33163</b>
	)	

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**CERTIFICATION OF COUNSEL REGARDING AMENDED ORDER APPROVING  
BRIEFING SCHEDULE AND HEARING DATE FOR MOTION FOR SUMMARY  
JUDGMENT PURSUANT TO FED. R. BANKR. P. 7056 FOR DISALLOWANCE  
OF CLAIM NO. 392, FILED BY GARY S. SMOLKER, AND RELATED  
CLAIMS NOS. 382 AND 4070, FILED BY HOME SAVINGS TERMITE  
CONTROL, INC., AND WAYNE MORRIS, RESPECTIVELY**

1. On August 3, 2020, the above-captioned reorganized debtors (collectively, the “Reorganized Debtors”) filed its *Motion for Summary Judgment Pursuant to Fed. R. Bankr. P. 7056 for Disallowance of Claim No. 392, Filed By Gary S. Smolker, and Related Claims, Nos. 382 and 4070, Filed By Home Savings Termite Control, Inc., and Wayne Morris, Respectively* (the “Motion for Summary Judgment”) [Docket No. 33154]<sup>2</sup>.

2. On August 18, 2020, Gary S. Smolker (the “Claimant”) filed the *Gary S. Smolker’s Objections and Response to W. R. Grace & Co.’s Motion for Summary Judgment* (the “Objection”) [Docket No. 33157].

3. On October 2, 2020, the Court entered the *Scheduling Order* (the “Scheduling Order”) [Docket No. 33163].

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<sup>1</sup> W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc., or “Grace”) is the sole remaining Reorganized Debtor and Case no. 01-1139 is the sole remaining open chapter 11 case.

<sup>2</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

4. On December 15, 2020, the Court held a telephonic status conference before the Honorable Ashely M. Chan.

5. The Court set a briefing schedule during the telephonic status conference.

6. Attached hereto as Exhibit A is a copy of a proposed form of Amended Scheduling Order (the “Proposed Order”).

7. Counsel for the Debtors circulated the Proposed Order to the Claimant.

8. By way of this certification, the Reorganized Debtor respectfully requests that the Court enter the Proposed Order at its earliest convenience.

9. The parties are available should the Court have any questions or concerns with the foregoing or the Proposed Order.

Dated: December 16, 2020

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